



Rep. Naomi D. Jakobsson

Filed: 5/31/2012

09700SB3280ham003

LRB097 19968 CEL 70501 a

1 AMENDMENT TO SENATE BILL 3280

2 AMENDMENT NO. _____. Amend Senate Bill 3280, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Oil and Gas Act is amended by
6 adding Sections 30 and 35 as follows:

7 (225 ILCS 725/30 new)

8 Sec. 30. Hydraulic fracturing moratorium.

9 (a) No person shall conduct high volume horizontal
10 hydraulic fracturing operations prior to June 1, 2014.

11 (b) As used in this Section:

12 "High volume horizontal hydraulic fracturing
13 operations" means all stages of the treatment or operation
14 of a horizontal well by the pressurized application of more
15 than 80,000 gallons of hydraulic fracturing fluid per
16 treatment stage to initiate or propagate fractures in shale

1 to enhance extraction or production of oil or gas.

2 "Horizontal well" means a well with a wellbore drilled
3 laterally at an angle of at least 80 degrees to the
4 vertical and with a horizontal projection exceeding 100
5 feet measured from the initial point of penetration into
6 the productive formation through the terminus of the
7 lateral in the same common source of hydrocarbon supply.

8 "Hydraulic fracturing fluid" means the fluid,
9 including the applicable base fluid and all hydraulic
10 fracturing additives, used to perform high volume
11 hydraulic fracturing.

12 "Shale" means a fine-grained sedimentary rock formed
13 by the consolidation of clay, silt, or mud that is
14 representative of, but not limited to, the New Albany Shale
15 and Maquoketa Shale groups as defined in the Illinois
16 Bulletin 95 Handbook of Stratigraphy.

17 (225 ILCS 725/35 new)

18 Sec. 35. The Hydraulic Fracturing Task Force.

19 (a) There is hereby created the Hydraulic Fracturing Task
20 Force. The purpose of the Task Force is to conduct a thorough
21 review of the regulation of hydraulic fracturing operations in
22 Illinois. The Task Force shall gather information, review,
23 evaluate, and make recommendations regarding the regulation of
24 hydraulic fracturing operations in Illinois, including, but
25 not limited to, recommendations concerning the following:

1 (1) the protection of the State's water resources,
2 including the use of setback limitations;

3 (2) disclosure of information regarding chemicals used
4 in hydraulic fracturing fluid and trade secret
5 protections;

6 (3) the use of toxic chemicals in hydraulic fracturing
7 fluid;

8 (4) the practices of landmen in leasing or buying oil
9 and gas rights or establishing surface rights;

10 (5) public hearings and comments regarding proposed
11 hydraulic fracturing operations;

12 (6) the handling, storage, and disposal of hydraulic
13 fracturing flowback and other waste fluids, including
14 whether the waste produced from hydraulic fracturing
15 operations should be classified as hazardous waste;

16 (7) the control of air emissions from oil and gas wells
17 that are hydraulically fractured; and

18 (8) permitting requirements for hydraulic fracturing
19 operations.

20 (b) The Task Force shall consist of 13 members as follows:

21 (1) one member appointed by the Speaker of the House;

22 (2) one member appointed by the House Minority Leader;

23 (3) one member appointed by the President of the
24 Senate;

25 (4) one member appointed by the Senate Minority Leader;

26 (5) one member appointed by the Office of the Attorney

1 General;

2 (6) one member appointed by the Director of the
3 Department of Natural Resources;

4 (7) one member appointed by the Director of the
5 Illinois Environmental Protection Agency;

6 (8) two persons representing environmental interests
7 appointed by the Governor;

8 (9) two persons representing oil and gas interests
9 appointed by the Governor;

10 (10) one person representing agricultural interests
11 appointed by the Governor; and

12 (11) one person representing public water supplies
13 appointed by the Governor.

14 (c) The members of the Task Force shall designate a
15 chairperson upon their first meeting.

16 (d) The Task Force shall conduct meetings and conduct a
17 public hearing before filing its findings and recommendations
18 under this Section. At the public hearings, the Task Force
19 shall allow interested persons to present their views and
20 comments.

21 (e) The members shall receive no compensation for their
22 services on the Task Force but shall be reimbursed for any
23 ordinary and necessary expenses incurred in the performance of
24 their duties.

25 (f) The Department of Natural Resources shall provide
26 administrative and staff support to the Task Force.

1 (g) The Task Force shall provide its findings and
2 recommendations to the General Assembly by January 1, 2013.
3 After it submits its findings and recommendations, the Task
4 Force shall be abolished.

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.".